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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/994,363 12/19/97 GARRISON

D 33500-00003

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TM02/0227

EXAMINER

ELMORE, R

ART UNIT

PAPER NUMBER

2187

DATE MAILED:

02/27/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

<b>Office Action Summary</b>	<b>Application No.</b> 08/994,363	<b>Applicant(s)</b> GARRISON ET AL.	
	<b>Examiner</b> REBA I. ELMORE	<b>Art Unit</b> 2187	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on 12/4/2000.  
 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.  
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) 1-20 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
 6) ☒ Claim(s) 1-20 is/are rejected.  
 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.  
 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.  
 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.  
 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \*    c) ☐ None of:  
         1. ☐ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
     \* See the attached detailed Office action for a list of the certified copies not received.  
 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

**Attachment(s)**

15) <input type="checkbox"/> Notice of References Cited (PTO-892) 16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 17) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____	18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 20) <input type="checkbox"/> Other: _____
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**Part III DETAILED ACTION**

***Title***

1. The objection to the title is ***withdrawn*** due to the amendment.

***Specification***

2. The objection to the specification is ***withdrawn*** due to the amendment. The cross reference to related applications section has been amended.

***Double Patenting***

3. The double patenting rejections citing serial numbers 09/010193 and 08/994047 are ***withdrawn*** due to the applicant's remarks.

***Claim Rejections - 35 USC 102***

4. The rejection of claims 1-20 as being anticipated by Chasek is ***maintained***.

***Claim Rejections - 35 USC 103***

5. The rejections of claims 1-20 as being unpatentable over the Tillery et al., Ett and Tracey are ***withdrawn***.

***Response to Applicant's Remarks***

6. As to the remarks concerning a single payee having a plurality of payment remittance centers, the Chasek reference teaches an electronic money system where an individual pays for goods or services using internet connectivity. Intermediate type addressing allows a personal terminal (PT) to send a payment to a clearinghouse which then sorts the packet and transmits it to the final destination dependent upon the address (database) information (see e.g., col. 3, lines 15-50). The PT gives the account information to the payee who acts as the vendor. The vendor transfers the payment to the vendor account custodian (VAC) terminal. The appropriate

personal account custodian (PAC) accounts are debited. A network in which a plurality of remittance centers associated with a single payee is equivalent to the network connectivity of the reference in that electronic money to a payee must be directed through a clearing house to the correct vendor for the goods or services purchased.

As to account numbers being inherently taught, the reference teaches an electronic money system. Information such as account numbers must be used in order for the payments to be credited to the appropriate accounts. Necessary accounting information for any type of payment teaching would inherently use identification information to credit a payment.

As to the remarks concerning zip code type data, the applicant appears to be arguing data content. The reference teaches using data associated with individuals and vendors or service providers, for this type of system to work databases of identifying information must be established to keep track of the 'who-gets-what-where' type of transactions. If a system can keep track of homebase data or clearinghouse data such as telephone numbers or tax information, this data type and management is equivalent to address type data.

As to storing alteration rules for the payee in a database, the reference teaches using programmable memory which allows the payee to change the requirements for accepting payment from an individual.

Applicant's arguments filed 12/4/2000 have been fully considered but they are not persuasive.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Reba I. Elmore**, whose telephone number is (703) 305-9706. The examiner can normally be reached on M-TH from 7:30 a.m. to 6:00 p.m. EST.

If attempts to reach the examiner by phone fail, the examiner's supervisor, **Do Yoo**, can be reached at (703) 308-4908. Additionally, the fax phone for Technology Center 2100 is (703) 308-6606.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at (703) 305-3800/4700.



**Reba I. Elmore**  
Primary Patent Examiner  
Art Unit 2187

**REBA I. ELMORE**  
**PRIMARY EXAMINER**  
**GROUP 2800**